



UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

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Order Filed on May 25, 2017 by  
Clerk, U.S. Bankruptcy Court -  
District of New Jersey

In Re:

FRANCIS A. BOYE-CODJOE  
CONSTANCE F. BOYE-CODJOE,  
DEBTOR(S)

Case No.: 16-31369 SLM

Adv. No.:

Hearing Date: N/A

Judge: STACEY L. MEISEL

ORDER AUTHORIZING LOAN  
MODIFICATION AND FOR OTHER RELIEF

The relief set forth on the following pages, two (2) through four (4) is  
hereby ORDERED:

DATED: May 25, 2017

A handwritten signature in black ink, appearing to read "Stacey L. Meisel".  
Honorable Stacey L. Meisel  
United States Bankruptcy Judge

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2 Debtor: Francis A. Boye-Codjoe

3 Constance F. Boye-Codjoe, Debtor(s)

4 Case no.: 16-31369 SLM

5 Caption of order: Order Authorizing Loan Modification and for  
6 Other Relief

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8 1. That the Debtors be and is hereby authorized to enter  
9 into and consummate a loan modification with Wells Fargo Home  
10 Mortgage, pursuant to the terms and conditions of the proposed  
11 loan modification agreement, entitled Home Affordable  
12 Modification Agreement (Mortgage), filed as an Exhibit in  
13 support of this motion, relating to real property located at 412  
14 Rutherford Avenue, Franklin, New Jersey and the loan  
15 modification be and is hereby approved.

16 2. That the Debtors and/or Wells Fargo Home Mortgage, be  
17 and are authorized to enter and consummate any transaction  
18 necessary and incident to the loan modification relating to this  
19 property, the sole exception being the transfer of the property  
20 or an interest in the property by the Debtor(s) to someone else.

21 a. Limited automatic stay relief is granted, to allow  
22 Wells Fargo Home Mortgage, to negotiate any such agreement with  
23 the Debtors or counsel, enter into and sign a loan modification  
24 agreement, and record any documents with the appropriate county  
25 recorders office without such action being considered a  
26 violation of the automatic stay.

27 3. That the Debtors and/or Wells Fargo Home Mortgage, are  
28 authorized to negotiate and prepare the terms or documents

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8 relating to a loan modification, or any necessary transaction  
9 incident to a loan modification agreement, such as, but not  
10 limited to the circumstances described above, with respect to  
11 this property and any such negotiation and/or preparation of  
12 documents and/or recording of documents, by the parties shall  
13 not considered to be a violation of the automatic stay and are  
14 specifically authorized by the Court.

15 4. That any communication by the parties relating to the  
16 loan modification shall be considered to be negotiations,  
17 pursuant to the Rules of Evidence, and shall not be used by  
18 either party against the other in the context of any subsequent  
19 litigation in this Court or any state court, federal court or  
20 non-judicial forum.

21 5. That nothing in this order shall be construed as a  
22 modification of the plan.

23 6. That the mortgage company and/or mortgage servicer may  
24 not persuade the Debtor(s) to dismiss this case in order to  
25 consummate a loan modification.

26 7. That because the mortgage is being modified and the pre-  
27 petition arrears are being addressed in the new mortgage, the  
28 pre-petition arrearage claim, filed as claim number twelve (12)

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8 on the claims register, by Wells Fargo Home Mortgage, or its  
9 predecessors, assignees or successor in interest, shall not be  
10 paid and the Trustee shall not make any payments/disbursements  
11 on any pre-petition arrearage claim. If the modification is not  
12 consummated for any reason, Wells Fargo Home Mortgage, may re-  
13 list the matter for further hearing, otherwise, this order shall  
14 be deemed final.

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